

**GENERAL WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**NOVEMBER 2003 AGENDA**  
**Item No. W-13**

<b>TITLE:</b> Request by <b>Long Beach Unified School District</b> to waive <i>Education Code</i> (EC) Section 52084 (b) and 52086 (a) under the Morgan-Hart Class Size Reduction Act to permit targeted students to receive intensive instruction through a full year two period core English and/or math course staffed at a 20 to 1 ratio.  <b>CDSIS:</b> 2-9-2003	<u>  <b>X</b>  </u> <b>ACTION</b> <u>      </u> <b>INFORMATION</b> <u>      </u> <b>PUBLIC HEARING</b> <u>      </u> <b>CONSENT</b>
---	--

**RECOMMENDATION:**

The Department recommends:

☒ Approval for one year, with the conditions that some of the participating students will be enrolled in the English class at all times, total funding to the district will not exceed two times the grade 9 enrollment of the district, and all classes will be held to the 1-20 ratio average (with no more than 22 in any one class).

---

**Summary of Previous State Board of Education Discussion and Action:**

The SBE has discussed issues of Morgan-Hart Class Size Reduction previously. Waivers to increase the number of classes for the lowest performing students have been approved by the SBE as long as the total funding to the district does not exceed two times the Grade 9 enrollment of the district, and the district maintains the 1:20 ratio, with no more the 22 pupils in each participating class.

---

**Summary of Key Issue(s):**

The Morgan-Hart Class Size Reduction Act states in *Education Code* (EC) Section 52084(a) that the grade 9 course or the two grade 9 courses included in the program count toward completion of the graduation requirements established in subparagraph (A), (B), (C), or (D) of paragraph (1) of subdivision (a) of *Education Code* (EC) Section 51225.3; provided, however, that one of the courses included in the program shall be English. This waiver request relates to two sections: 52084(b) Certification of the number of grade 9 classes included in the program in the courses designated pursuant to subdivision (a). 52086 (a) The Superintendent of Public Instruction shall apportion to each applicant district an amount equal to one hundred and eighty dollars (\$180) per unit of full-year equivalent enrollment reported pursuant to subdivision (d) of Section 52084 if the district certifies an average class size of 20 pupils and no more than 22 pupils in each participating class at each participating school, adjusted annually commencing with the 2000-01 fiscal year for the inflation adjustment calculated pursuant to subdivision (b) of Section 42238.1.

A waiver is requested by the Long Beach Unified School District (LBUSD) to permit targeted students to receive intensive instruction through a full year two period English class and/or full year two period Algebra class.

The LBUSD wants to provide two periods of English for the full school year to selected ninth grade English Language Learners. ELD English I and II are the required English course for English Language Learners at the beginning and intermediate levels of English proficiency and meet English graduation requirements. The LBUSD also wants to provide a two period intensive Algebra ABCD course to selected ninth grade students at the Strategic Intervention level. This intensive course, equivalent to Algebra 1-2, will meet the Algebra graduation requirements and prepare students for the CAHSEE Math.

CDE recommends that this waiver be approved for the 2003-04 school year upon the conditions that some of the participating students will be enrolled in the English class at all times, total funding to the district will not exceed two times the grade 9 enrollment of the district, and all classes will be held to the 1-20 ratio average (with no more than 22 in any one class).

---

Bargaining unit(s) consulted on: 8/9/03 and 8/19/03

Position of bargaining unit (choose only one):

☐

Neutral

☒

Support

☐

Oppose

Name of bargaining unit representative: Tony Diaz, President of TALB

Mary Jordan, Assistant Executive Director of TALB

Public hearing identified by (choose one or more):

☒

posting in a newspaper

☒

posting at each school

☒

other

(specify) Local cable TV

Public hearing held on: 8/12/03

Local board approval date: 8/12/03

Advisory committee(s) consulted:

Objections raised (choose one): ☒ None ☐ Objections are attached on separate sheet

Date consulted: 7/29/03

Effective dates of request: 9/2/03 to 6/11/04

Fiscal Analysis (as appropriate): N/A

---

**Background Information:**

Waiver request forms and supporting documents are attached.